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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/517,975

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Jonathan M. Bowerm

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

BOSS, BROCK N

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

01/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/517,975

Applicant(s)

BOWERN ET AL.

Examiner

Brock N. Boss

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/16/2005</u> . | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Claim Objections

1. **Claim 6** is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims. See MPEP § 608.01(n). Appropriate correction is required.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims **15-18** lack patentable utility. "A use" cannot be patented. Appropriate correction is required. Additionally, Claim 19 is rejected for being dependant on claims 15-18.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **1-5, 7, 9-16, and 18-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trovato et al. (US Patent Number 6,469,742 B1) in further view of Patry et al. (US Patent Publication 2003/0041335 A1).

Regarding **claim 1**, Trovato discloses a home entertainment system (see page 2, paragraph 26, "peripheral devices such as a television, personal computer, PDA or other digital

or analog receiving device") comprising a first component (102) (see Figure 2, element 101 and/or 106, and/or Figure 1, element 25) and a second component (104) (see Figures 1 and/or 2, element 10) connected using one or more interconnections (see Figure 2, element 4) (see also column 5, lines 46-49) for exchanging software content between the components (see column 5, lines 50-54) (see also column 4, lines 50-67), the components being operable to: exchange software content using said interconnections (see page 6, paragraph 90-91), and: a) generate an indication (see column 6, lines 13-16), and b) communicate the indication to the second component (see column 6, lines 13-16)(104), and the second component (104) is operable to: I. receive the indication, and, in dependence on the indication, II. adapt the processing of content associated with the at least one interconnection used for exchanging data content (see column 6, lines 16-19).

However, Trovato does not explicitly disclose exchanging analogue AV content using said interconnections. Additionally, Trovato does not disclose exchanging data content during a time interval and generate indications in relation to a time interval.

In an analogous art, Patry discloses exchanging analogue AV content using a connection (SCART) (see page 2, paragraph 32) between a first component (see Figure 2, television video decoder receiver 1) and a second component (see Figure 2, television 2). In addition, Patry discloses exchanging data content during a time interval (see Figure 4, Figure 5, Figure 10) between two components (see Figure 1, elements 1.b and/or 1.c) and based on the time interval; generating indications (i.e. "announcement signal) (see page 4, paragraphs 61-62), sending indication to a second component (see page 4, paragraph 62) (see also pages 4-5, paragraph 72), and adapting processing of content associated with interconnection for exchanging data content

(see page 3, paragraphs 46-50). (See also page 3, paragraphs 51-55). In addition, it is old and well known to exchange analogue video and audio content between component devices using a SCART connection.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Trovato's invention to include exchanging analog video between two components (i.e. between a television and receiver) for the purpose of centralizing exchanging data information and analogue AV, a common technique in components which use SCART. In addition, it would have been obvious at the time of Applicant's invention to modify Trovato's invention exchanging data content between two components (e.g. updating a television or any peripheral device through a connection with a receiver, set top box, IRD, decoder, receiver) and generating an indication, as in Patry's invention, by sending an indication to the second component, and adapting processing of content associated with interconnection for exchanging data content for the predictable result of adaptable upgrade capability where upgrading and debugging between components is virtually transparent to the user (see Trovato column 6, lines 18-22).

Regarding **claim 2**, Trovato and Patry disclose everything as claimed above (see claim 1). In addition, Patry discloses a home entertainment system, wherein the second component is further operable, in dependence on the indication, to determine the at least one interconnection utilised to exchange data content with the first component (see page 3, paragraph 43).

Regarding **claim 3**, Trovato and Patry disclose everything as claimed above (see claim 1). In addition, Patry discloses a home entertainment system, wherein the second component is operable to adapt the processing of content by inhibiting presentation of said content (see Patry,

page 3, paragraph 46).

Regarding **claim 4**, Trovato and Patry disclose everything as claimed above (see claim 1). In addition, Patry discloses a home entertainment system, wherein the interconnections for exchanging analogue AV content are those defined within the Scart specification (see Patry, page 2, paragraph 32).

Regarding **claim 5**, Trovato and Patry disclose everything as claimed above (see claim 4). A home entertainment system as claimed in claim 4, wherein the at least one interconnection utilised to exchange data content is the vertical blanking interval of Scart (see page 2, paragraph 31-32).

However, neither Trovato nor Patry explicitly discloses exchanging data content with the blanking pin 16 of Scart.

Nevertheless, it is old and well known in the art at the time of Applicant's invention to use the blanking pin 16 of Scart (Blanking Signal Input) for exchanging content.

Therefore, it would have been obvious to use the blanking pin 16 of a SCART connection for exchanging data using VBI for the obvious motivation of adhering to SCART specifications for exchanging data.

Regarding **claim 7**, Trovato and Patry disclose everything as claimed above (see claim 6). In addition, Patry discloses a home entertainment system communicating the indication by wireless means (i.e. Radio Frequency) (See paragraph 31).

Regarding **claim 9**, Trovato discloses a method for exchanging data between a first component (see Figure 2, element 101 and/or 106, and/or Figure 1, element 25) and a second component (see Figures 1 and/or 2, element 10) of a home entertainment system, which

components are connected using one or more interconnections (see Figure 2, element 4) (see also column 5, lines 46-49) operable to exchange software content (see column 5, lines 50-54) (see also column 4, lines 50-67).

However, Trovato does not disclose exchanging analogue AV between the components. Additionally, Trovato does not disclose the method of generating, receiving indications and in dependence of the indication adapting processing of content to be exchanged.

In an analogous art, Patry discloses the method comprising the steps of, for the first component: a) acquiring (304) data to exchange with the second component (see pages 4-5, paragraph 72); b) generating (310) an indication which indicates a data exchange mode (see page 5, paragraph 76); c) communicating (311) the indication to the second component (see page 5, paragraph 76); d) exchanging data (312) with the second component using at least one of said interconnections (see page 2, paragraph 32); and e) cancelling (314) the indication to indicate a cessation of the data exchange mode (see page 5, paragraph 82), and the method comprising the steps of, for the second component: I. checking (354) for an indication from components in the system (see page 5, paragraph 73); II. receiving (356) the indication from the first component (see page 5, paragraph 53); III. exchanging (360) data with the first component (see page 5, paragraph 53); and, in dependence on the indication, IV. adapting (362) the processing of content associated with the at least one interconnection used for exchanging data content (see page 5, paragraph 76). In addition, it is old and well known to exchange analogue video and audio content between component devices using a SCART connection.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Trovato's invention to include exchanging analog video between two

components (i.e. between a television and receiver) for the purpose of centralizing exchanging data information and analogue AV, a common technique in components which use SCART. In addition, it would have been obvious at the time of Applicant's invention to modify Trovato's invention exchanging data content between two components (e.g. updating a television or any peripheral device through a connection with a receiver, set top box, IRD, decoder, receiver) and generating an indication, as in Patry's invention, by sending an indication to the second component, and adapting processing of content associated with interconnection for exchanging data content for the predictable result of adaptable upgrade capability where upgrading and debugging between components is virtually transparent to the user (see Trovato column 6, lines 18-22).

Regarding **claim 10**, Trovato and Patry disclose everything as claimed above (see claim 9). In addition, Patry discloses the method, after step a) for the first component, further comprising the steps of: determining (306) available analogue AV content interconnections with the second component; and selecting (308) at least one of the available interconnections to use to exchange data (see page 3, paragraph 43).

Regarding **claim 11**, Trovato and Patry disclose everything as claimed above (see claim 9). In addition, Patry discloses the method, after step II for the second component, further comprising the step of: determining (358), in dependence on the indication, the at least one interconnection utilised to exchange data with the first component (see page 3, paragraph 43).

Regarding **claim 12**, Trovato and Patry disclose everything as claimed above (see claim 9-11). In addition, Patry discloses the method, wherein the indication is communicated to all components of the home entertainment system thereby allowing the components to configure

themselves in dependence on the indication (see page 5, paragraphs 75-77).

Regarding **claim 13**, Trovato and Patry disclose everything as claimed above (see claim 9-12). In addition, Patry discloses the method, wherein the second component acknowledges the indication to the first component (see page 5, paragraph 75).

Regarding **claim 14**, Trovato and Patry disclose everything as claimed above (see claim 9-13). In addition, Patry discloses the method, wherein the second component, during the data exchange, communicates to the first component mode alterations in the availability of interconnections presently being used for data exchange (see page 5, paragraphs 73 and 75).

Regarding **claim 15**, Trovato discloses a use of an at least one interconnection operable to exchange analogue AV content between components of a home entertainment system see page 2, paragraph 26, "peripheral devices such as a television, personal computer, PDA or other digital or analog receiving device").

However, Trovato does not explicitly disclose to, alternatively, exchange data between said components and, during the data exchange, to adapt the processing of content associated with the at least one interconnection by the components.

In an analogous art, Patry discloses during a data exchange, to adapt the processing of content associated with the at least one interconnection by the components (see page 5, paragraph 76).

It would have been obvious at the time of Applicant's invention to modify Trovato's invention to adapt the processing of content associated with an interconnection by the components during a data exchange for the predictable result of allowing the two components to by synchronously exchanging data to prevent a first component from sending data when the a

different component is not receiving.

Regarding **claim 16**, Trovato and Patry disclose everything as claimed above (see claim 15). In addition, Patry discloses a use, wherein the exchange of data is signalled by means of an indication (see page 3, paragraph 46).

Regarding **claim 18**, Trovato and Patry disclose everything as claimed above (see claim 15). In addition, Patry discloses a use as claimed in claim 15, wherein the at least one interconnection is embodied within the Scart specification (see page 2, paragraph 32).

Regarding **claim 19**, Trovato and Patry disclose everything as claimed above (see claim 9-14). In addition, Patry discloses component of a home entertainment system, the component comprising software configured for carrying out the method (see column 3, lines 43-63).

5. **Claim 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trovato et al. (US Patent Number 6,469,742 B1) in further view of Patry et al. (US Patent Publication 2003/0041335 A1) in further view of Sato et al. (US Patent Number 5,991,832).

Regarding **claim 6**, Trovato and Patry disclose everything as claimed above (see claims 1-4). In addition, Patry discloses a SCART connection for exchanging data.

However, neither Trovato nor Patry disclose sending the indication to be sent via a separate means.

In an analogous art, Sato discloses sending an indication via a separate means using a Scart connection (see column 7, lines 52-57).

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Trovato's invention in view of Patry's invention to use the tenth pin of a SCART

connection for sending information, as in Sato's invention, to send an indication, as in Trovato's and Patry's invention, for the predictable result of preventing interference of communication between a data link from the vertical blanking interval pin, or any other connection for exchanging data and/or video, to allow a larger data exchange rate.

6. **Claim 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trovato et al. (US Patent Number 6,469,742 B1) in further view of Patry et al. (US Patent Publication 2003/0041335 A1) in further view of Burghard (US Patent Number 6,850,286 B2)

Regarding **claim 8**, Trovato and Patry disclose everything as claimed above (see claim 4).

However, Trovato does not disclose Scart, and Patry does not explicitly teach using pin 10 for communicating indications.

In an analogous art, Burghard discloses using "Project 50" pin of SCART to establish a data link to send information to a peripheral device (see column 7, lines 52-57).

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Trovato's invention in view of Patry's invention to use the tenth pin of a SCART connection for sending information, as in Burghard's invention, to send an indication, as in Trovato's and Patry's invention, for establishing a connection for exchanging data (e.g. upgrading software) for the predictable result of preventing interference of exchanging data content from a link (e.g. vertical blanking interval pin) for exchanging analogue AV content pin, or any other connection for exchanging data and/or video.

7. **Claim 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trovato et al. (US Patent Number 6,469,742 B1) in further view of Patry et al. (US Patent Publication 2003/0041335 A1) in further view of Fiallos (US Publication 2002/0152467)

Regarding **claim 17**, Trovato and Patry disclose everything as claimed above (see claim 15).

However neither Trovato nor Patry disclose the rate of exchange of data to be at least 10 kbit/sec.

In an analogous art, Fiallos discloses a component (i.e. Integrated/Receiving Decoder) with a minimum data rate of 100 kbit/sec for exchanging data content.

It would have been obvious at the time of Applicant's invention to modify Trovato's invention in view of Patry invention exchange data to be at least 10 kbit/sec to prevent the hassle of waiting long amounts of time for a download or upload to finish.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brock N. Boss whose telephone number is (571) 270-1660. The examiner can normally be reached on Monday-Thursday 9:30-7:30 Eastern Standard Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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